

MAY 17 2004

A
#11
UT
6/15/04

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
 Deane Gardner et al.
 Serial No.: 09/757,241
 Filed: March 13, 2001
 For: INTEGRATING PERSONAL DATA
 CAPTURING FUNCTIONALITY INTO
 A PORTABLE COMPUTING DEVICE
 AND A WIRELESS COMMUNICATION
 DEVICE

Art Unit: 2645
 Examiner: Escalante,
 Ovidio
 Confirmation No. 6573
 Docket No. 64919-5010

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE

I hereby certify that this document and the
 identified enclosures and fee are being transmitted
 via facsimile service to 703-872-9306 under 37
 C.F.R. § 1.10 and is addressed to: Commissioner for
 Patents, P.O. Box 1450, Alexandria, VA 22313-1450
 on May 17, 2004 by Karen Earl

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed on December 15, 2003, Applicant hereby amends the above-identified application, without prejudice, as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Amendments to the Specification begin on page 15 of this paper.

06/15/2004 VTOWLER 00000001 100440 09757241
 Amendment Dated May 17, 2004
 01 FC:2252 Reg#10,000 Office Action dated December 15, 2003

-1-

Appl. No. 09/757,241
 Atty. Docket No. 64919-5005

MAY 17 2004

Practitioner's Docket No. 64919-5010

OFFICIAL

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Deane Gardner and Mitz Kurobe

Application No.: 09/757,241

Group No.: 2645

Filed: 03/13/2001

Examiner: Escalante, Ovidio

For: INTEGRATING PERSONAL DATA CAPTURING FUNCTIONALITY INTO A PORTABLE COMPUTING DEVICE AND A WIRELESS COMMUNICATION DEVICE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.

STATUS

- Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

Fee: \$210.00

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

with sufficient postage as first class mail.

37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) 872-9306.


Signature

Date: May 17, 2004

Karen Earl

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment Transmittal-page 1 of 2

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY				
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE				ADDIT. FEE
TOTAL	47	-	47	=	0	x	\$ 9.00 = \$ 0.00
INDEP.	11	-	11	=	0	x	\$ 43.00 = \$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$ 0.00	=	\$ 0.00
				TOTAL			
				ADDIT. FEE		\$	\$ 0.00

No additional fee for claims is required.

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$210.00 to Deposit Account No. 10-0440.

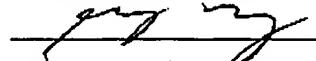
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 10-0440.
If an additional fee for claims is required, charge Account No. 10-0440.

Date: 5-17-2004

Respectfully submitted,


George G. C. Tseng
Registration No. 41,355
JEFFER, MANGELS, BUTLER &
MARMARO LLP
1900 Avenue of the Stars
Seventh Floor
Los Angeles, CA 90067
310-203-8080
Customer No. 24574

GCT/ke1

Remarks/Arguments begin on page 16 of this paper.

Amendment Dated May 17, 2004
Reply to Office Action dated
December 15, 2003

- 2 -

Appl. No. 09/757,241
Atty. Docket No. 64919-5005